

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

**MICHAEL SINGBUSH, ANDREA
HERRERA and HARVEY KESSLER
MEYER, IV,**

Plaintiffs,

v.

Case No: 5:19-cv-603-Oc-PGBPRL

**FLORIDA NEUROLOGICAL CENTER,
LLC and LANCE Y. KIM,**

Defendants.

ORDER


Plaintiff brought a *qui tam* lawsuit against Defendants under the False Claims Act (FCA). On November 4, 2019 (the Court’s deadline for intervention), the United States filed its notice that it had not made a determination regarding intervention. (Doc. 10). Since then, the United States has continued its investigation and initiated settlement discussions with Defendants, which has led to a settlement agreement in principle. Accordingly, the United States now seeks leave to intervene in Counts I and II of the Second Amended Complaint for purposes of settlement. (Doc. 63).¹

Because the deadline to intervene has passed, the United States would need to show good cause to intervene if its’ intent was to proceed and take over the case. However, when as here, the United States is seeking to intervene solely for purposes of settlement, it need not satisfy the good-cause intervention standard. *See United States v. Everglades College, Inc.*, 855 F.3d 1279, 1286

¹ In the motion, the United States seeks leave to intervene in “Count I and II of the First Amended Complaint.” Doc. 63 at 1. However, a review of the docket shows that the Second Amended Complaint is the operative pleading. (Doc. 48).

(11th Cir. 2017) (“[C]onsistent with the holdings of other circuits, we hold that the United States is not required to satisfy the good-cause intervention standard in § 3730(c)(3) when settling a *qui tam* action brought under the FCA.”). Accordingly, and based on the United States’ representation that the motion is unopposed by the Relators and the Defendants, the United States’ motion to intervene for purposes of settlement (Doc. 63) is **GRANTED**.

DONE and **ORDERED** in Ocala, Florida on November 23, 2020.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties